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Docket # PF-0300-3 CON



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By: Nancy Ramos

Printed: NANCY RAMOS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)**

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a **CONTINUATION** application under 37 CFR 1.53(b) of pending prior application Serial No.08/870,870, filed on June 6, 1997, entitled **NEW HUMAN REGULATORY PROTEINS**.

1. X Enclosed is a specification corresponding to the prior application, U. S. Application Serial No.08/870,870 filed June 6, 1997, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.
2. X With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant continuation application is identical with the computer readable form filed with Serial No. 08/870,870, filed June 6, 1997, to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. 08/870,870 as the computer readable form for the instant continuation application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant continuation application.
3. X The inventor(s) of the invention being claimed in this application is (are): Preeti Lal, Olga Bandman, Jennifer L. Hillman, Purvi Shah, Neil C. Corley.
4. X In accordance with 37 CFR 1.63(d) a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on November 18, 1999 is enclosed.

5. \_\_\_ Amend the specification by inserting after the title: "This application is a continuation application of U.S. application serial number 08/870,870, filed June 6, 1997, all of which applications and patents are hereby incorporated herein by reference."
6. X The filing fee is calculated below:

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity		Basic Fee
				Rate	Fee	\$710.00
Total Claims	22	-20	2	x \$18		\$ 36.00
Indep. Claims	3	-3		x \$80		\$
___ Multiple Dependent Claim(s), if any				+ \$270		\$

**TOTAL FILING FEE \$ 746.00**

7. \_\_\_ An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.

8. X Please charge Deposit Account No. 09-0108 in the amount of \$ 746.00 .

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0108.

A **duplicate** copy of this Request is enclosed.

9. \_\_\_ New formal drawings are enclosed.
10. X The prior application is assigned of record to Incyte Pharmaceuticals, Inc., recorded on November 24, 1997, at reel 8841/frame 0213.
11. \_\_\_ A preliminary amendment is enclosed.
12. X Also enclosed Information Disclosure Statement and Form PTO-1449.
13. X The power of attorney of the prior application is to:

Narinder S. Banait  
Adam Warwick Bell  
Lucy J. Billings  
Michael C. Cerrone  
Diana Hamlet-Cox  
Colette C. Muenzen

Reg. No. 43,482  
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Reg. No. 44,316  
Reg. No. 43,168

\_\_\_ The associate power of attorney in the prior application is to:

- a. \_\_\_ An associate power of attorney is attached.
- b. \_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. X Address all future correspondence to:

INCYTE GENOMICS, INC.  
PATENT DEPARTMENT  
3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555, Fax: (650) 845-4166

Date: December 21, 2001 By: David G. Streeter  
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- \_\_\_ Inventor(s)  
\_\_\_ Assignee of complete interest  
X Attorney or agent of record  
\_\_\_ Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_